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IVAN MAKIL REMARKSFEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY*Docket #99-11*

The Salt River Pima-Maricopa Indian Community is pleased to have the opportunity to present testimony at this hearing on telephone service in Indian country. This represents a significant first step in finally establishing a government-to-government relationship between Indian tribes and the federal Communications Commission. This relationship can be of great benefits to tribes and to the entire country.

I am Ivan Makil, President of the Salt River Pima-Maricopa Indian Community. Our Community is located in the heart of metropolitan Phoenix. We have 52,000 acres of land bordered by Scottsdale, Tempe, Mesa and Fountain Hills. We represent two tribes: the Pimas who are thought to be the direct decedents of the pre-Columbian Hohokam who first settled this region, and the Maricopas.

Our Community has a population of over 6,200 people, more than half of who are under the age of 19. As an Indian Community, our government provides health, welfare, education, and social services for our members as well as provide all infrastructure including roads and, now, telephone service. We must provide for these services out of revenue we can generate.

Historically, our people were farmers in the Salt River Valley. While we still maintain farmland, we lease these lands to agribusiness. In the last ten years or so, we have made a concerted effort to create a better-balanced economy that will benefit our members. We have invested in several businesses from golf courses to cement to soft yogurt and fruit drinks.

Although we border the affluent community of Scottsdale, historically we have not been able to secure basic telephone service for all of our members. Members of the Community, including myself, were told that it would cost as much as \$5,000 to have a telephone installed. Although home telephone service is considered a basic necessity by most Americans, few people can afford a \$5,000 installation fee. Almost no one in my Community could pay this amount.

Without telephones in homes, Community members had no access to 911 and elders could not call for help if they were ill or in need. Often time, when someone on our Community wanted to make a call, it meant driving a mile or more to a pay telephone.

Moreover, the Community's lack of quality advanced telecommunication and data services, hampered economic development. Very few businesses will locate in a region in which they cannot be assured of business quality advanced telecommunications telephone and data services.

In 1997 our Community saw an opportunity to remedy our telecommunications problems. We chartered and licensed Saddleback Communications Company and invested Community revenue in a state-of-the-art digital switching and transmission network. Saddleback's primary mission is to make sure that every Community member and every business located on our land has access to high quality, advanced telecommunications services.

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To reach our goal, Saddleback joined forces with Mountain Telecommunications Inc., a rapidly growing, Arizona-based telecommunications company that provides high quality, local telephone service to primarily rural customers in Arizona. Together, the two companies are prepared to offer advanced telecommunications across Arizona.

For the Salt River Community, this is a win-win situation. Not only can we effectively serve our members, but we are developing a significant economic development tool.

Solutions such as Saddleback/MTI partnership are ideally positioned to meet the needs of Indian Country for advanced telecom services. Properly structured, this partnership approach could be replicated on other reservations.

I urge the FCC to support such arrangements. The FCC can play a pivotal role in this by doing the following:

- Providing regulatory incentives to encourage incumbent local exchange companies and competitive local exchange companies to work directly with tribes to meet their telecommunications needs;

- Review regulatory barriers to tribal entry into the telecommunications market; for example a CLEC should not be limited to the Universal Service support that an ILEC receives for providing service within tribal lands. This is especially true if the tribe's CLEC services are provided to formerly unserved residents.

- Support new advanced technologies that address the last mile problem in rural areas. Saddleback and MTI have petitioned the Commission to adopt Fixed Wireless Access as one possible solution. Although we cannot go into the merits of that petition, Salt River wishes to stress that the petition should receive serious consideration in the near term.

- Clarify that the Commission will support modifications or waivers of technical rules that limit the ability of a given technology to serve areas with low population density (increased power output for wireless transmitters, for example).

I would ask the Commission, when considering these suggestions to be aware that Tribal governments are sovereign entities. We ask that you deal with us a government-to-government basis. We remind you that the Commission's trust responsibility demands this.

I would also ask that you not be distracted by stopgap measures. Access to basic dial tone will be insufficient if we are not given access to the advanced telecommunications and data services that are enjoyed by others.

Like my community, many Indian tribes throughout rural areas of this country are poised for economic growth and development. Advanced telecommunications services are critical to our future and our success.